

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.16528 of 1998

Dated:18.04.2007

Between
K.Jayasimha.

.....Petitioner

and

Chairman, Manjira Grameena
Bank, Sangareddy, Medak
District.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.16528 of 1998

ORDER:

This writ petition is filed seeking a Mandamus to declare the seniority list prepared and circulated on 20.07.1995 by the respondent-Bank is in violation of the guidelines issued by the sponsored bank i.e., State Bank of India, NABARD and Regulation 13 of Manjira Grameena Bank Staff Service Regulations, 1983 and consequently, to direct the respondent to place the petitioner at serial No.37, instead of serial No.54 by taking his date of appointment as 29.4.1986 instead of 30.04.1986, with all consequential benefits.

It appears that the respondent-Bank issued a circular fixing seniority of the persons who are working in the cadre of JM Scale No.1

as on 20.07.1995.

It is the contention of the petitioner that he was appointed in the respondent-Bank with effect from 29.4.1986 and therefore, he is entitled for fixing his seniority at serial No.37 instead of serial No.54.

There is no necessity to go into all the details.

The respondent filed a detailed counter denying the allegations made by the petitioner. It is asserted that the petitioner was suspended from service on 19.8.1987, while he was on probation on account of certain irregularities/malpractices committed by him in sanction/disbursement of loans at Marvelly Branch, during his tenure as Branch Manager. An enquiry was ordered and after its completion, the petitioner was reinstated into service on 25.1.1988 by lifting the suspension and imposing penalty of reducing the incremental stage to lower stage (first stage in

the scale) i.e., Rs.1550/- and also treating the period during which the petitioner was placed under suspension as “not spent on duty.” The period of suspension is one year three months and six days. Accordingly, the period of probation has been extended by one year three months and six days and orders confirming the petitioner in service were passed on 6.8.89, as his suspension period was not considered as “period on duty.” Therefore, the petitioner became junior to other members of the staff. The punishment imposed against him attained finality and his seniority position was arrived at after taking into consideration the extension of his probation period in terms of Regulation No.13 (3) Manjira Grameena Bank Staff Service Regulations, 1983.

In view of the averments in the counter, I am of the opinion that no ground is made out calling for interference of this Court into the seniority list prepared and circulated by the

respondent-Bank on 20.07.1995 in the cadre of JM scale No.1. Writ petition is devoid of merits and is liable to be dismissed.

Accordingly, writ petition is dismissed. No costs.

18-04-2007

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